UNITED
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S/1994/63
21 January 1994

ORIGINAL: ENGLISH

LETTER DATED 20 JANUARY 1994 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to Mr. Silajdzic's letter dated 7 December 1993 (S/1994/4), upon instructions of my Government, I have the honour to point out the following:

The Government of the Federal Republic of Yugoslavia denies in the strongest terms the malicious charges contained in the said letter and its enclosure. These shameless fabrications, advanced by Mr. Silajdzic, are put forward in order to misguide the Security Council and represent one of the numerous attempts to postpone the achievement of a political solution based on the agreement of all three peoples of Bosnia and Herzegovina.

In the enclosure, the Bosnian Muslims claim that a number of violations of the no-fly zone, perpetrated by the "Serbian aviation", occurred in the period between 2 November and 4 December 1993 and that the Bosnian Serb forces, in their offensives, used chemical and biological weapons, surface-to-surface missiles and cassette bombs.

Regarding the allegations contained in enclosure A of Mr. Silajdzic's letter, it should be noted that the data contained in it are in complete contravention with the information on the apparent violations of the flights ban in the airspace of Bosnia and Herzegovina, contained in the Secretary-General's notes addressed to the President of the Security Council (S/24900/Add.94-100).

According to those reports, in the above-mentioned period between 2 November and 4 December 1993, there were 78 unauthorized flights in the airspace of Bosnia and Herzegovina, of which 48 have been attributed to the Bosnian Croats, 17 to the Bosnian Serbs and 10 to the "Government of Bosnia and Herzegovina". One flight occurred on the border between areas controlled by the "Government of Bosnia and Herzegovina" and Bosnian Croats and two flights occurred in the contested area.

Mr. Silajdzic's hatred of the Serbs led him to make up the flights of the "Serbian aviation" despite the fact that none of those flights listed in the enclosure A correspond to the information provided by the official United

Nations sources. He is also putting the blame on the Federal Republic Of Yugoslavia for interference in Bosnia and Herzegovina, stating that some of the alleged air raids, which according to Mr. Silajdzic took place on 28 November 1993, had originated from the territory of the Federal Republic of Yugoslavia.

This assertion is in total contravention with the Secretary-General's note dated 30 November 1993 addressed to the President of the Security Council (S/24900/Add.98), in which it is stated, inter alia, that: "Between 27 and 29 November 1993, there appear to have been no flights of fixed- or rotary-wing aircraft in the airspace of Bosnia and Herzegovina other than those exempted in accordance with paragraph 1 of resolution 816 (1993) or approved by the United Nations Protection Force (UNPROFOR) in accordance with paragraph 2 of that resolution". Besides, none of the remaining violations mentioned in the letter of Mr. Silajdzic took place, which is supported by the reports of the United Nations and North Atlantic Treaty Organization (NATO) forces that monitor the no-fly zone over Bosnia and Herzegovina with the most sophisticated equipment. And finally, United Nations military observers, deployed on a 24-hour basis at the airfields in the Federal Republic of Yugoslavia, did not report on any occasion so far, that the aircraft of the Federal Republic of Yugoslavia Air Force had been engaged in the action in the territory of the former Bosnia and Herzegovina.

Those reports are also supported by the United States Chairman of the Joint Chief of Staff, General John Shalikashvili, who, at the briefing in the White House on 4 January 1994, stated: "In the case of helicopters, repeatedly the United Nations commanders on the ground have indicated that the helicopter flights that are being observed are not militarily significant and that their recommendation is that we do not - that NATO not take on the helicopter flights. It's different with fixed-wing aircraft, and I don't think you have any reports of any fixed-wing aircraft flying - unauthorized fixed-wing aircraft flying over Bosnia".

Mr. Silajdzic states in enclosure C, among other things, that on 7 November Serbian forces shelled the area of Gorazde with "chemical and biological warheads" and that, as of 11 November, "the villages of ... Zubeta ... in the vicinity of Olovo were totally burnt down". However, the updated UNPROFOR situation report for 10-12 November states that "The Muslim village of Zubeta, south-east of Vares, is still under BH control". Furthermore, it should be also noted that the UNPROFOR situation report of 7 November 1993 makes no mention of "chemical and biological warheads".

However, the Government of the Federal Republic of Yugoslavia wishes, on this occasion, to draw attention to the use of chemical weapons by the Muslim side in the civil war in Bosnia and Herzegovina. Throughout the previous year, several high-ranking political and military Muslim leaders threatened the use of chemical weapons (A. Izetbegovic at the end of June 1993; president of the Tuzla region and the Commander of the Second Corps of the "Armed Forces of the Republic of Bosnia and Herzegovina" in June 1993; UNPROFOR in its updated situation report on 20 October 1993 stated that the Bosnian Muslim commander in Tuzla admitted the use of chemical grenades in the area). The London-based "Defence and Foreign Affairs Strategic Policy" publication on 31 August 1993

reported that the Bosnian Muslim armed forces were using chemical weapons in north-central Bosnia, and that they were developing them with the assistance of "five chemical warfare experts" from a Middle East country. In distinction from groundless accusations advanced by the Muslim representative on the account of the Bosnian Serbs and for the alleged usage of the chemical means, the following verifiable facts should be taken into account: starting from 20 November 1993, the Muslim forces in the former Bosnia and Herzegovina began using chlorine-based chemical means in the area of Majevica, Teocak and Medjedja. Thus, as a result of those activities, in the Republic Srpska there were 25 poisoned persons, both military and civilian. Those activities were performed on 29 November 1993 and 7, 14, 15, 16 and 23 December 1993. The Muslims fired the chemical mines from 82-mm and 120-mm mortars, shelling 8 to 36 mines per target.

Regarding enclosure D about the alleged use of surface-to-surface missiles and cassette bombs, Mr. Silajdzic has put forward facts devoid of truth. All updated UNPROFOR situation reports for the period 20 November to 3 December 1993 fail to identify rockets and cassette bombs that have been seen only by Mr. Silajdzic.

What is at stake here is one more slanderous campaign whose sole purpose is to condemn unjustly the Serbs and the Federal Republic of Yugoslavia on the basis of the fabricated and unsubstantiated reports and accounts.

One can only conclude that the only source of Mr. Silajdzic's information are already tendentious and distorted reports by well-known ham radio operators. The Government of the Federal Republic of Yugoslavia strongly considers that the Security Council, in its deliberations, should rely only on information which is confirmed by official United Nations sources.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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21 January 1994

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LETTER DATED 21 JANUARY 1994 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached report addressed to me on 20 January 1994 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and the latest developments in the search for peace in Bosnia and Herzegovina.

(Signed) Boutros BOUTROS-GHALI

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Annex

Report of the Co-Chairmen of the Steering Committee on the activities of the International Conference on the Former Yugoslavia

INTRODUCTION

1. On 29 December 1993, the Security Council received a report of the Co-Chairmen giving an account of developments in the search for peace in Bosnia and Herzegovina following meetings held in Geneva on 21 December and in Brussels on 22 and 23 December (S/26922).

I. CONTINUING CONTACTS

2. Since the submission of that report, the Co-Chairmen maintained contacts with the parties to the conflict and with the Governments of neighbouring countries. The Co-Chairmen travelled to Vienna on 4 and 5 January 1994 for consultations with Prime Minister H. Silajdzic of Bosnia and Herzegovina and Foreign Minister M. Granic of the Republic of Croatia. While in Vienna, the Co-Chairmen had talks with Austrian Foreign Minister A. Mock. On 5 January, the Co-Chairmen went to Belgrade for discussions with President S. Milosevic and with Bosnian Serb leaders. On 6 January, the Co-Chairmen visited Budapest for discussions with Hungarian Foreign Minister G. Jeszenszky. The same day, the Co-Chairmen went to Bonn for consultations with German Foreign Minister K. Kinkel. On 7 January, the Co-Chairmen had consultations in Paris with French Foreign Minister A. Juppe. On 9 and 10 January, the Co-Chairmen had discussions in Bonn with Presidents A. Izetbegovic and F. Tudjman. On 16 January, the Co-Chairmen had meetings in Athens with Mr. K. Papoulias, the incoming President of the European Union Council of Ministers.

II. PEACE TALKS, 18 AND 19 JANUARY 1994

3. On 18 and 19 January 1994, resumed peace talks were held in Geneva with the attendance of Presidents Bulatovic, Izetbegovic, Milosevic and Tudjman, as well as Mr. Karadzic and Mr. Akmadzic.

4. It will be recalled that it had been hoped to conclude an overall settlement based on the HMS Invincible package, with each of the three peoples having their own majority republic within an overall union but with the additional features suggested in the European Union action plan whereby, in particular, the Muslim-majority Republic would have a minimum of 33.3 per cent of the territory of Bosnia and Herzegovina; as had emerged in discussion, the Croat-majority Republic would have 17.5 per cent; the Muslim-majority Republic would have, as has been suggested by President Tudjman, a tract of land on the peninsula of Peljesac instead of on the Isthmus of Klek and this would have a port and tourist facilities; and all sides would continue to commit themselves to upholding international norms of human rights, including the right of refugees and displaced persons to return to their homes.

5. During the round of talks on 18 and 19 January, a map proposed by the Bosnian Serbs was on the table offering the Muslim-majority Republic 33.56 per cent (see appendix I). The Republic of Croatia stated its willingness to sign linked agreements providing the Muslim-majority Republic with 99-year leases for use of a port at Ploce, a port on the Neretva River at Celevo, from which seagoing cargo boats or tourist passenger boats could link up with their facilities in Ploce or the existing small port on the Peljesac peninsula.

6. Detailed provisions committing all parties to international human rights conventions and making available specialized human rights machinery of the Council of Europe were maintained.

7. The Bosnian Serbs and the Bosnian Croats declared their willingness to pursue discussions to settle, as between them, the delimitation of territory so as to assure the Bosnian Croats 17.5 per cent of territory. President Izetbegovic, however, while not rejecting the figure of 17.5 per cent, entered a reservation that this must not be to the detriment of the Muslim-majority Republic.

8. President Izetbegovic acknowledged that the Muslim-majority Republic was being offered 33.56 per cent. He submitted, however, that the map should be altered so as to include in the territory allocated to the Muslim-majority Republic certain areas in eastern and western Bosnia where the Muslims had been in the majority before the outbreak of the conflict, as well as certain areas in central Bosnia, while keeping within the target of 33.3 per cent.

9. The Co-Chairmen had painstaking discussions with the three sides in order to help them to overcome the remaining hurdles to a peace agreement. However, President Izetbegovic maintained his decision on territory. The Bosnian Serbs said they had made concession after concession in order to achieve peace, most recently reverting to their former position of accepting international administration for Sarajevo, and they could go no further. The Bosnian Croats insisted that the areas sought by President Izetbegovic in central Bosnia were vital for the Croat-majority Republic.

10. The Co-Chairmen felt that it was imperative that all concerned found a way to overcome this remaining hurdle over the allocation of territory. Accordingly, they consulted the parties concerning an arbitration procedure for breaking the impasse. After those consultations, the Co-Chairmen submitted to the parties a procedure (see appendix II), whereby the disputed territory could be referred to an arbitration commission and its recommendations come to the Security Council after a peace agreement has been implemented and forces withdrawn to the provisional boundaries on the map in appendix I.

11. The Bosnian Serbs and the Bosnian Croats were willing to accept these procedures. The Bosnian Muslims rejected them because, President Izetbegovic stated, too many areas of importance to the Muslim-majority Republic would be left unresolved and they were unwilling to have Serb or Croat forces remaining in the disputed territories that they consider should be in their Republic. The Bosnian Serbs said that, in the light of the Bosnian Muslim's rejection of the proposed arbitration commission, they would, in any future negotiations, be unwilling to remain within a Union of three republics, but that they would hope

to be able to continue to accept United Nations administration for Sarajevo district. They felt that the Serb-majority Republic would henceforth have to be considered as independent from the Muslim-majority Republic.

12. Faced with the danger of renewed and intensified conflict and aware of the deep concern of the United Nations High Commissioner for Refugees, Mrs. S. Ogata, the Co-Chairmen felt that they had to find a way to keep the parties engaged in the peace process and to meet again in the near future. Accordingly, they proposed that the parties establish hot lines, that they exchange representatives in one another's headquarters in Sarajevo, Mostar and Pale and that the Bosnian parties should meet again in Geneva on 10 February 1994 to consider the effectiveness of these arrangements and other practical confidence-building measures to reduce the level of fighting. All agreed to meet, but President Izetbegovic said he would need to consult his military on the idea of exchanging representatives. All three sides did, however, agree to return to Geneva on 10 February to examine the results of the efforts of the working group.

13. The Co-Chairmen view this further failure to finalize and agree on a peace settlement with considerable concern. There can be no escaping the reality that the three warring parties are now at risk of increased fighting and that more territorial issues could be settled on the battlefield than at the negotiating table. This is taking place at a time when their people are suffering immense hardship in the middle of winter, despite the best efforts of the Office of the United Nations High Commissioner for Refugees, the United Nations Protection Force and other agencies. While the fighting continues, very probably at an increased intensity, many people will lack the basic essentials for life: food, warmth and shelter.

Appendix I

Proposal for Bosnian Muslim Majority Republic comprising over one third of territory of Bosnia and Herzegovina

Area 1	4.2%
Area 2	65.4%
Area 3	24.6%
Area 4	1.4%
Area 5	1.3%
Sarajevo District	3.1%

Total for Muslim Majority Republic, including Sarajevo District on a 1-1 basis. = 33.5%

(Figures verified at the request of ICFY by Centar SA computer services Geneva 8-1-94)

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Appendix II

Article 1

(a) The provisional boundaries of the constituent republics shall be as set out in annex A, part 1. The Muslim-majority Republic shall be provided with a minimum of 33.33 per cent of territory and the Bosnian Serb Party has undertaken to ensure that the Croat-majority Republic has 17.5 per cent. The Bosnian Muslim Party, while not rejecting the figure of 17.5 per cent, has a reservation that it must not be to the detriment of the Muslim-majority Republic. Except as provided in (b) and (c), the boundaries of the Republics may be changed only by the procedure provided for amending this Constitutional Agreement.

(b) Marginal changes in the boundaries set out in annex A may be made by agreement between the Parties on the recommendation of a Boundary Commission, which shall receive evidence from those specifically affected by them. The Commission shall consist of five persons appointed by the Secretary-General of the United Nations, of whom three shall be persons recommended the representatives of the three constituent peoples.

(c) Substantial changes in the boundaries involving the following disputed territories - Bosanska Krupa, Bosanski Novi, Brcko, Bugojno, Busovaca, Donji Vakuf, Gornji Vakuf, Kiseljak, Kresevo, Novi Travnik, Sanski Most, Ustikolina, Visegrad, Vitez, Zvornik - and an exchange of territory of high population density with a predominantly serb population in the District of Sarajevo for areas of lower population density in eastern Bosnia, in particular Zepa and Srebrenica, which might alter the 33.33 per cent allocation to the Muslim-majority Republic, can be agreed under the procedures specified in paragraph 1 (b), but, in the event no agreement is reached, any difference can be referred to an Arbitration Commission appointed by the President of the International Court of Justice after consultation with the parties. The recommendations of the Commission shall be addressed, in the first instance, to the parties, and only if there is disagreement be referred to the Security Council.

(d) There shall be no border controls on boundaries between the constituent republics, and there shall be free movement of persons, goods and services throughout the territory of the Union of Republics of Bosnia and Herzegovina.

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Forty-ninth session
COMPLETE WITHDRAWAL OF FOREIGN MILITARY FORCES FROM THE TERRITORIES OF THE BALTIC STATES

SECURITY COUNCIL
Forty-ninth year

Letter dated 21 January 1994 from the Permanent Representative of Lithuania addressed to the Secretary-General

I have the honour to bring to your attention the text of two statements issued by the Lithuanian authorities (see annexes) in response to a statement made by the Minister for Foreign Affairs of the Russian Federation, Andrei Kozyrev, on 18 January 1994. The first statement, issued by the Ministry of Foreign Affairs of Lithuania, was published on 18 January 1994. The second text is a statement by the Seimas (Parliament), issued on 20 January 1994.

I should be grateful if you would have the text of the present letter and its annexes circulated as a document of the General Assembly, under the item entitled "Complete withdrawal of foreign military forces from the territories of the Baltic States", and of the Security Council.

(Signed) Anicetas SIMUTIS
Permanent Representative

Annex I

Statement by the Ministry of Foreign Affairs of the Republic of Lithuania dated 18 January 1994

On 18 January of this year, a statement by the Minister of Foreign Affairs of the Russian Federation, A. Kozyrev, on the vitally important interests of Russia in the Commonwealth of Independent States and the Baltic countries was circulated. The statement says that the Baltic countries constitute a zone of the most important interests of Russia and that Russia need not withdraw its military from these countries. The legalization of dual citizenship is demanded as well.

The Ministry of Foreign Affairs of Lithuania once again clearly states that it does not accept the term "near abroad", used extensively by Russian officials. Furthermore, the Lithuanian Minister of Foreign Affairs is concerned over Russia's repeated claims of human rights violations in the Baltic countries, as this does not reflect the true situation. Only the people of an independent Lithuania and their elected governing bodies may decide which model for the granting of citizenship may be chosen. Any pressure to the contrary on this matter will be regarded as interference in Lithuania's internal affairs.

The impression is that Russia has not renounced its military influence in the Baltic countries. It is surprising that a statement of such content was issued after the meeting between the Presidents of the United States and Russia, and following the commencement of work of the new Russian Parliament. We would not want the worst predictions connected with the well-known results of the recent elections to come true.

Annex II

Statement by the Seimas of Lithuania dated 20 January 1994

The Seimas of Lithuania, reviewing the recent series of events in Russia and its current foreign policy, expresses its concern that recent statements made by certain Russian authorities regarding the Baltic countries have taken on an increasingly sharp tone. This trend is confirmed by comments made by Russian Foreign Minister A. Kozyrev concerning Russia's vital interests in Lithuania, Latvia and Estonia, constantly referred to as the "near abroad", and about a possible suspension of the military withdrawal from Latvia and Estonia. No ambiguous manoeuvres can reduce the negative implications of these statements.

The presence of the Russian military in the Baltic States and the delay in its withdrawal not only adds to the instability of Estonia and Latvia, allowing conditions for conflict and provocations to develop there, but also endangers stability in Lithuania. This demonstrates that Russia is ignoring international agreements and documents it itself has signed, and in so doing threatens world peace and stability.

The Seimas of Lithuania expresses its great concern over the present Russian policy towards the Baltic countries, and states its hope that the processes of democratization in Russia will continue, and that Russia will respect the independence and territorial integrity of the Baltic countries.

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22 January 1994

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NOTE VERBALE DATED 15 JANUARY 1994 FROM THE PERMANENT MISSION OF THE CZECH REPUBLIC TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Czech Republic to the United Nations presents its compliments to the Secretary-General and, with reference to paragraph 13 of Security Council resolution 883 (1993) of 11 November 1993, has the honour to report on the measures that have been instituted to meet the obligations set out in paragraphs 3 to 7 of resolution 883 (1993).

On 1 December 1993 the Czech Government enjoined all its ministers to take appropriate measures which would respond fully to the requests and decisions stated in resolution 883 (1993), within the scale of their authority.

The Government requested the Minister for Foreign Affairs to coordinate all these activities and to draft a bill which would respond to the aforementioned resolution. The bill is now being discussed in Parliament.

The Government further recommended to the Governor of the Czech National Bank that the Bank take necessary measures connected with resolution 883 (1993).

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1 February 1994

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NOTE VERBALE DATED 18 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF SINGAPORE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Singapore to the United Nations presents his compliments to the Secretary-General and, with reference to resolution 883 (1993) adopted by the Security Council on 11 November 1993 regarding the Libyan Arab Jamahiriya, has the honour to inform the Secretary-General that the following directives have been issued by the Monetary Authority of Singapore in order to meet the obligations of the Government of Singapore as set out in the aforementioned resolution:

(a) Monetary Authority of Singapore circular No. BFIG 17/93 dated 3 December 1993;

(b) Monetary Authority of Singapore circular No. BFIG 18/93 dated 3 December 1993;

Copies of the above directives are enclosed.*

The Permanent Representative further has the honour to inform the Secretary-General that, in addition to the two directives above issued by the Monetary Authority of Singapore, the Singapore Government has also instituted the following measures:

(a) The Civil Aviation Authority of Singapore will not approve applications for scheduled or charter operations to and from the Libyan Arab Jamahiriya. The Civil Aviation Authority of Singapore will also deny clearance for flights overflying Singapore airspace to or from the Libyan Arab Jamahiriya. If the aircraft concerned refuses to comply, it would be considered as infringing our airspace and Singapore Air Force will be informed. The Civil Aviation Authority of Singapore has notified our carriers, namely Singapore Airlines and SilkAir, to comply with the resolution. The Civil Aviation Authority of Singapore has also advised Civil Aviation Authority of Singapore-approved companies that are involved in the supply of aircraft or aircraft components, as well as Civil Aviation Authority of Singapore-approved companies

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* The texts of the directives may be consulted in room S-3545.

providing engineering and maintenance servicing of aircraft or aircraft components, to comply with paragraph 6 (c) of the resolution;

(b) The Ministry of Defence of Singapore has instructed the Singapore Technologies companies to comply with the sanctions against the Libyan Arab Jamahiriya. The Ministry of Home Affairs of Singapore will not issue any licence for the export of arms to the Libyan Arab Jamahiriya.

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22 January 1994

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NOTE VERBALE DATED 19 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Turkey to the United Nations present his compliments to the Secretary-General and, pursuant to paragraph 13 of resolution 883 (1993), has the honour to inform him that the following measures have been instituted by the Government of Turkey for meeting the obligations set out in paragraphs 3 to 7 of the aforementioned resolution:

(a) The Libyan assets in Turkey consist of a jointly operated bank and a number of equity shares in two companies. These undertakings have been established under Turkish law and are legally considered as Turkish entities. The Libyan Arab Jamahiriya controls minority shares in these undertakings and it has a limited role in the decision-making and governing procedures. Necessary measures have been taken to secure the continuation of this situation and to prevent any repatriation of earnings generated through the Libyan shares in these undertakings;

(b) The oil-drilling and refinery equipment and supplies listed in the annex to Security Council resolution 883 (1993) are not among the present export items of Turkey to the Libyan Arab Jamahiriya. However, appropriate measures have also been taken to prevent any future exports of these items to the Libyan Arab Jamahiriya;

(c) Turkey has also been paying due attention to the implementation of the provisions of resolution 748 (1992) pertaining to aviation matters. Necessary arrangements have also been made for implementing provisions of resolution 883 (1993) to this effect;

(d) Since the adoption of resolution 748 (1992), no new Libyan representation has been established in Turkey and there has been no increase in the number of Libyan diplomatic and consular personnel.

The Government of Turkey has duly instructed the competent Turkish authorities to comply fully with the stipulations mentioned in paragraphs 3 to 7 of resolution 883 (1993). The Government of Turkey will continue to employ the necessary controls to ensure the implementation of resolution 883 (1993).

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LETTER DATED 21 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a letter dated 21 January 1994 from the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Croatia, Mr. Mate Granić, addressed to you.

I would ask for your kind assistance in distributing this letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

Annex

Letter dated 21 January 1994 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

I have the honour to inform you and the distinguished members of the Security Council that the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) signed a joint declaration in Geneva on 19 January 1994, as the first step towards normalization of mutual relations.

What is emphasized in the aforesaid joint declaration is that the two parties are "guided by the Charter of the United Nations and the basic documents of the Conference on Security and Cooperation in Europe (CSCE)". It is the firm understanding of my Government that henceforth both sides are to act strictly in accordance with the provisions contained in the 1975 Helsinki Final Act of CSCE, in particular the principle that international borders cannot and must not be changed by force. In this respect my Government considers the joint declaration a bilateral document which implies full and mutual respect for the internationally recognized borders of Croatia and the borders of the Federal Republic of Yugoslavia (Serbia and Montenegro). While this does not necessarily constitute an act of formal mutual recognition, it is nevertheless a conditio sine qua non for the effective normalization and establishment of full diplomatic relations. My Government believes that full normalization is the ultimate goal and that the joint declaration sets both sides firmly on this course as envisaged not only by the European Union action plan, but by the relevant Security Council and General Assembly documents as well.

It is the view of the Croatian Government that the final documents of the CSCE Rome meeting, along with other relevant basic CSCE documents, is the foundation for a peaceful settlement of the crises on the territory of the former Yugoslavia. Croatia emphasizes in particular the importance of section I, paragraph 1.1, of the Rome documents (S/26843, annex II), which states that the United Nations protected areas "should be peacefully reintegrated into the political and legal system of Croatia" and that "mutual recognition of Yugoslavia (Serbia and Montenegro) and Croatia would be an essential element for stability in their relations and in the region as a whole".

My Government signed the joint declaration acting bona fides, and this document is not in any way directed against the non-participatory sides. The joint declaration should be considered an important step towards full implementation of the European Union action plan concerning the former Yugoslavia, and consistent with the peace initiative of the President of Croatia, Franjo Tudjman (S/26681).

The joint declaration should also open the way for the comprehensive achievement of a modus vivendi for the territories in Croatia under the mandate of the United Nations Protection Force (UNPROFOR), in accordance with the European Union action plan and in the spirit of Security Council resolution 871 (1993). The Croatian Government urges the Security Council to take action

in this direction and, by using the prospect of the joint declaration, to help to bring about the solution that shall meet the legitimate claims of Croatia on its territory and preserve the legitimate rights of the Serbian population in Croatia.

In signing the joint declaration, my Government has been guided by the principle that the establishment of stable relations between Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) is of utmost importance for peace and stability in the region. The Croatian Government is ready to take further necessary steps in this regard, in the spirit and in the framework of the existing Security Council resolutions, especially resolution 871 (1993).

(Signed) Mate GRANIĆ
Deputy Prime Minister and
Minister for Foreign Affairs

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24 January 1994

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 42
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-ninth year

Letter dated 22 January 1994 from the Permanent Representative of Bosnia and Herzegovina addressed to the Secretary-General

I have the honour to present to you the attached letter, of today's date, from my Prime Minister to Your Excellency.

May I ask for your kind assistance in circulating this letter as a document of the General Assembly, under agenda item 42, and of the Security Council.

(Signed) Muhamed SACIRBEY
Permanent Representative

Annex

Letter dated 22 January 1994 from the Prime Minister of Bosnia and Herzegovina to the Secretary-General

Today, while expecting the rotation of the United Nations Protection Force (UNPROFOR) commanders for Bosnia and Herzegovina, on a day described as "relatively quiet", shells were fired from Serb aggressor posts against the residential area of Alipasino Polje, six children being murdered while doctors are still trying to save the lives of another four wounded children. The oldest among the casualties was born in 1981.

This massacre humiliates the international community, it mocks the dignity of the United Nations and makes pointless and futile all our enormous efforts to achieve peace through the talks. Our children are being killed but, this time again, their blood was spilled over the face of the UNPROFOR mission, which was incapable of protecting innocent children playing in the snow. How many times we have heard the United Nations claiming that they would not allow the "strangling of Sarajevo?" The murdered children were playing within the "safe area", on an urban street only 200 metres away from UNPROFOR headquarters. The Serbian aggressor "welcomed" the rotation of the UNPROFOR commanders for Bosnia and Herzegovina by taking the most tragic toll - our children. What else should happen in Sarajevo to incite the mechanism that would lead to the implementation of United Nations resolutions?

We request you, in accordance with the relevant Security Council resolutions as well as with the conclusions of the North Atlantic Treaty Organization (NATO), to demand air strikes against the aggressor posts around Sarajevo.

Haris SILAJDZIĆ
Prime Minister

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S/1994/71
24 January 1994

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LETTER DATED 24 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the letter addressed to Your Excellency by the Chargé d'affaires a.i. of the Permanent Mission of Eritrea to the United Nations (S/1994/34), dated 14 January 1994, conveying the letter of His Excellency, the President of the State of Ericrea, I have the honour to enclose herewith the reply of the Government of the Sudan to the contents of the aforementioned letter.

I request Your Excellency to kindly circulate this reply as a document of the Security Council in all United Nations working languages.

(Signed) Ali Mohamed Osman YASSIN
Permanent Representative
of the Republic of the
Sudan to the United Nations

Annex

[Original: Arabic]

With reference to the letter dated 14 January 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Eritrea and the annexed letter from the President of Eritrea addressed to you and circulated as Security Council document S/1994/34 of 15 January 1994, the Government of the Sudan wishes to express its regret that the matter was brought to your attention. It had hoped that the issue could be addressed through the existing bilateral channels between the two countries. However, since the Government of Eritrea has chosen to bring the matter up with you, as well as with certain regional organizations and Governments, we believe we must explain the following facts:

1. The Government of the Sudan affirms its commitment to the principles of good-neighbourliness and peaceful coexistence among neighbouring countries and peoples. It also expresses its resolute determination to promote regional cooperation in the interests of peoples, countries and their stability.

2. Among the most important pillars of the Sudan's foreign policy are respect for national sovereignty, non-interference in the internal affairs of neighbouring and other States, the peaceful settlement of disputes and respect for such regimes and Governments as may be chosen by the peoples of those States. It is particularly careful to pursue a policy of good-neighbourliness with neighbouring States and has therefore established joint ministerial committees to promote cooperation between the Sudan and neighbouring States and to solve any disputes that may arise between them.

3. The Sudan has, within the limits of its own modest abilities, provided Eritrea with every material and political assistance since the State's foundation. The Sudan helped to build the Eritrean State by dispatching manpower with various different skills and providing logistic support in all fields. It also helped to support the country's agricultural development, laying the essential foundations of Eritrean agricultural production projects by providing 100 tractors, and has provided constant supplies of food in recognition of the strong ties between the Sudanese and Eritrean peoples. It would therefore make no sense whatsoever for the Sudan to see any advantage in undermining the stability of the Eritrean regime, which it has helped to support and strengthen since independence.

4. The letter from the President of Eritrea does not refer to any involvement by Sudanese nationals in this incident. There is nothing to prove that the incident to which the President refers, if it actually occurred, was launched from Sudanese territory. It could be the work of Eritrean opposition groups opposed to the Government operating from within Eritrea itself, particularly since the country has a long Red Sea coastline across which groups opposed to the Government may seek clandestine entry.

5. The Sudanese Government does not encourage the establishment within its territory of any organizations that are hostile to regimes in neighbouring States, including our neighbour Eritrea. The Government of the Sudan has provided fraternal Eritrea with conclusive evidence of its cooperation in this

sphere and on this occasion reaffirms its continued undertaking not to provide facilities of any sort to any elements opposed to the Eritrean Government.

6. The Government of the Sudan censures and rejects its linkage to a political entity that has no official existence in the Sudan. The political entity referred to was dissolved entirely, just like the other pre-existing Sudanese political parties that were dissolved when the revolution broke out in June 1989. Accordingly, linking the so-called "National Islamic Front" to the Sudanese Government is merely a pretext for the fabrication of charges against the Government.

7. The way in which the President of Eritrea approached the question of Eritrean refugees in the Sudan is cause for intense regret and grief. It would have been more appropriate for him to express his appreciation to the Sudan, which has been hosting 500,000 Eritrean refugees for more than 30 years and sharing with them its limited resources and services, inasmuch as United Nations reports confirm that 60 per cent of hospital and school services in the Eastern Region are directed towards Eritrean refugees. Moreover, the Sudanese Government allows Eritrean refugees to pursue a number of occupations and professions and to work on agricultural projects in the area on an equal footing with Sudanese nationals. It does not treat them as third-class citizens, as was claimed in the Eritrean letter. The Government of the Sudan would have been reluctant to bring this up had it not been for the contents of the letter of the President of Eritrea, for the Eritreans are our brothers, and our treatment of them is a duty laid down by our customs, traditions, religious creeds and cultural heritage.

8. Following the referendum and the achievement of self-determination in Eritrea, the Government of the Sudan called for the return of the Eritrean refugees to their country, in accordance with the Tripartite Agreement to which the Office of the United Nations High Commissioner for Refugees was a party, but the Eritrean Government put forward numerous excuses, asserting, for example, that it was not ready or prepared to absorb such an enormous number at the present time.

9. Now that Eritrea has become independent, we wonder about the reasons for the non-return of the Eritrean refugees to their country, if what was stated in the Eritrean President's letter about their mistreatment and exploitation is true.

10. The Government of the Sudan is fully prepared to cooperate with the Government of Eritrea and the international community in completing the process of the voluntary return of the Eritrean refugees, provided that the causes that led them to flee ceased to exist with the establishment of their State. We reaffirm that the Government of the Sudan is also prepared to cooperate with the international community for the implementation of all the options provided for by generally recognized international conventions on the status of refugees, including their repatriation to any State they wish to go to, particularly as Eritrea makes the excuse that it is not ready or prepared to absorb them. We reaffirm that - until such time as that happens - these refugees merit every respect and protection, in accordance with international and regional instruments governing refuge and treatment of refugees. Accordingly, we appeal

to the Government of Eritrea, the international community and the Office of the United Nations High Commissioner for Refugees to provide all the necessary resources to facilitate the return of the Eritrean refugees to their country.

In conclusion, the Government of the Sudan wishes to deny categorically that it had any connection with the alleged incident. As an expression of good will, the Government of the Sudan affirms its willingness to arrive at any bilateral agreement with the Eritrean Government concerning the measures required on the common border to preserve the security of the two countries.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/72
24 January 1994
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 21 JANUARY 1994 FROM THE PERMANENT MISSION OF FRANCE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of France to the United Nations presents its compliments to the Secretary-General and, pursuant to paragraph 13 of Security Council resolution 883 (1993), has the honour to transmit to him the following communication concerning the measures taken by the French Government to implement that resolution.

1. Freeze of Libyan assets. Prime Minister's Decree No. 93-1264 of 29 November 1993, supplemented by an ordinance from the Minister of the Economy of the same date, implements paragraphs 3 and 4 of resolution 883 (1993).

2. Sanctions relating to the oil industry and air transport. Community regulation 3274/93 of the Council of the European Union gives effect to the measures set out in paragraphs 5, 6 and 7 of resolution 883 (1993). It incorporates all the measures taken to implement Security Council resolutions 748 (1992) and 883 (1993) and replaces regulation 945/92 of 14 April 1992, adopted for the purpose of implementing resolution 748 (1992).

In practical terms, these measures have taken the form of:

(a) The closing of all Libyan Arab Airways offices in France;

(b) The denunciation by Air France of commercial agreements permitting the endorsement of Libyan Arab Airlines tickets;

(c) The requiring of export licenses for all equipment used in the oil and air transport industries which is liable to be banned on account of its end use.

The texts of the above-mentioned regulations are attached to this note verbale.*

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* The relevant texts may be consulted in room S-3545.

94-03884 (E) 250194 250194 250194

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/73
24 January 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 JANUARY 1994 FROM THE PERMANENT MISSION OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Australia to the United Nations presents its compliments to the Secretary-General and has the honour to attach herewith a copy of the measures* Australia has taken so far in implementing the additional sanctions against the Libyan Arab Jamahiriya contained in Security Council resolution 883 (1993).

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* The text of the measures may be consulted in room S-3545.

94-03890 (E) 250194 250194

UNITED
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Security Council

Distr.
GENERAL

S/1994/74
24 January 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 JANUARY 1994 FROM THE PERMANENT MISSION OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Malta to the United Nations present its compliments to the Secretary-General and has the honour to report on measures instituted by Malta to implement Security Council resolution 883 (1993), adopted on 11 November 1993.*

The Government of Malta continues to implement the measures contemplated in Security Council resolution 748 (1992) of 31 March 1992.

In accordance with the United Nations (Security Council Sanctions) Act No. XX of 1993 enacted by the Maltese Parliament on 28 July 1993, the sanctions set out in paragraphs 3 to 7 of Security Council resolution 883 (1993) have been implemented in Malta under Legal Notice No. 166 (1993) of 30 November and Legal Notice No. 169 (1993) of 7 December 1993.

In this context, the provisions of Security Council resolution 883 (1993) have been brought to the attention of all ministers and parliamentary secretaries for necessary action towards the effective implementation of the said resolution. Reports received from ministries, corporations, departments and banking institutions confirmed that the measures contemplated in the resolution are being fully implemented.

Government Legal Notice No. 811 was published in the Maltese government Gazette on 3 December 1993, amending the exportation (control) regulations to ensure compliance with the relevant provisions of Security Council resolution 883 (1993).

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* The text of the measures may be consulted in room S-3545.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/75
24 January 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 JANUARY 1994 FROM THE PERMANENT MISSION OF DENMARK TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Denmark to the United Nations presents its compliments to the Secretary-General and, pursuant to paragraph 13 of Security Council resolution 88 (1993), has the honour to inform the Secretary-General of the measures adopted by Denmark to meet the obligations set out in paragraphs 3 and 7 of the aforementioned resolution.

The provisions of paragraphs 3, 4 and 7 have been implemented in Denmark by Royal Decree No. 1147 of 22 December 1993.

The provisions of paragraphs 5 and 6, which fall within the competence of the European Union, have been implemented through the adoption of EU Regulations No. 3274/93 and 3275/93 by the Council of the European Union on 29 November 1993.

94-03959 (E) 250194

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/75*
29 January 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 14 JANUARY 1994 FROM THE PERMANENT MISSION OF DENMARK TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Denmark to the United Nations presents its compliments to the Secretary-General and, pursuant to paragraph 13 of Security Council resolution 883 (1993), has the honour to inform the Secretary-General of the measures adopted by Denmark to meet the obligations set out in paragraphs 3 and 7 of the aforementioned resolution.

The provisions of paragraphs 3, 4 and 7 have been implemented in Denmark by Royal Decree No. 1147 of 22 December 1993.

The provisions of paragraphs 5 and 6, which fall within the competence of the European Union, have been implemented through the adoption of EU Regulations No. 3274/93 and 3275/93 by the Council of the European Union on 29 November 1993.

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* Reissued for technical reasons.

94-05625 (E) 010294 010294

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/76
24 January 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 13 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF HUNGARY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Hungary to the United Nations presents his compliments to the Secretary-General and has the honour to submit the following information on measures undertaken by the Government of Hungary to implement Security Council resolution 883 (1993).

Acting in accordance with the provisions of the Charter of the United Nations, the Government of Hungary adopted on 30 November 1993 Governmental Order No. 164/1993 concerning the implementation of paragraphs 3 to 7 of Security Council resolution 883 (1993). This legal regulation published in the 173/93 issue of Magyar Közlöny (Hungarian Official Law Record), which is annexed to the present note, entered into force on 1 December 1993.*

The above governmental order provides, inter alia, for the freezing of funds and financial resources of Libyan organizations as defined in paragraphs 3 and 4 of Security Council resolution 883 (1993). It also contains provisions on the implementation of the restrictions set out in paragraphs 5 and 6 of that resolution.

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* The text of the legal regulations may be consulted in room S-3545.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/77
24 January 1994

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The attached letter, dated 14 January 1994, was addressed to the Secretary-General by the Permanent Observer of Switzerland to the United Nations.

Annex

[Original: French]

Letter dated 14 January 1994 from the Permanent Observer Mission of Switzerland to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to refer to Security Council resolution 883 (1993), paragraph 13, concerning the reporting of measures instituted by States in connection with the sanctions against the Libyan Arab Jamahiriya.

I attach herewith a copy, in French and German, of the Ordinance concerning measures against the Libyan Arab Jamahiriya which was adopted by the Swiss Federal Council on 12 January 1994 and which entered into force on 13 January 1994.*

(Signed) Johannes J. MANZ
Permanent Observer

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* The text of the Ordinance may be consulted in room S-3545.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/78
24 January 1994

ORIGINAL: ENGLISH

LETTER DATED 24 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I wish to recall my letter to the Security Council of 2 December 1993 (S/26835) and reiterate the importance that my Government attaches to the investigation of specific reports of serious violations of international humanitarian law by the Bosnian Muslim extremist elements against Croat civilians and prisoners-of-war (POWs) in central Bosnia and northern Herzegovina. Another summary execution and a possible massacre, the eighth in six months, of 74 civilians and/or POWs has been reported in the village of Krizancevo, near Vitez, since the date of my earlier letter.

We respectfully submit to the Council, once again, that international humanitarian law cannot be compromised by political or media pressure. All parties in central Bosnia and northern Herzegovina must be held to the same high standards in this regard. Deep respect for international humanitarian law extends beyond the conflict in Bosnia and Herzegovina and should be addressed in this way.

May I request your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

94-03977 (E) 250194 250194

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/79
25 January 1994
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 24 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVES OF FRANCE, SPAIN AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to bring to your attention the text, in English and French, of the communiqué on Bosnia and Herzegovina issued by the Presidency on behalf of the European Union on 20 January 1994.

We should be grateful if you would arrange to have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Juan A. YAÑEZ-BARNUEVO
Permanent Representative of Spain

(Signed) Jean-Bernard MERIMEE
Permanent Representative of France

(Signed) Sir David HANNAY, KCMG
Permanent Representative of the United Kingdom of Great Britain and Northern Ireland

Annex

[Original: English and French]

Communiqué dated 20 January 1994 by the presidency in the name of the European Union on Bosnia and Herzegovina

The European Union supports the efforts on the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to bring about a negotiated peaceful settlement of the conflict in Bosnia and Herzegovina accepted by all parties. It believes that a solution accepted by all concerned must be reached as soon as possible in order to spare the civilian population more suffering. It expresses the hope that Lord Owen and Mr. Stoltenberg will continue to offer their valuable services in their endeavours to implement their mandate as stated in the declaration of the European Council of 10 and 11 December 1993.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1994/80
25 January 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

1. By resolution 881 (1993) adopted on 4 November 1993, the Security Council approved the continued presence of the small United Nations Observer Mission in Georgia (UNOMIG) until 31 January 1994, with the following interim mandate:

(a) To maintain contacts with both sides to the conflict and military contingents of the Russian Federation;

(b) To monitor the situation and report to Headquarters, with particular reference to any developments relevant to the efforts of the United Nations to promote a comprehensive political settlement.

2. The Council also decided that UNOMIG would not be extended beyond 31 January 1994 unless the Secretary-General reported to the Council that substantive progress had been made towards implementing measures aimed at establishing a lasting peace or that the peace process would be served by the prolongation of its mandate. The Council also requested me, inter alia, to report by late January 1994 on the activities of UNOMIG.

3. In my letter of 16 December 1993 addressed to the President of the Security Council (S/26901), I reported that the Memorandum of Understanding, signed by the parties to the conflict on 1 December 1993 in Geneva, manifested encouraging progress towards lasting peace in the area. I sought from the Council contingent authority to deploy up to 50 more United Nations military observers (in addition to the 5 already present), together with a minimal number of civilian support staff. I indicated that UNOMIG, thus reinforced, would be better placed to ascertain the actual conditions on the ground and to plan and prepare for a further expansion, should the next round of negotiations scheduled to begin on 11 January warrant it.

4. By resolution 892 (1993) of 22 December 1993, the Security Council authorized the phased deployment of up to 50 additional military observers to UNOMIG and requested me to inform the Council on the duties of new observers beyond the initial 10 referred to in my letter (S/26901). The Council also expressed its willingness to review the existing mandate of UNOMIG, taking into account any progress achieved towards the promotion of a comprehensive political settlement and in the light of my report due in late January 1994. The Council

indicated that the report should cover, inter alia, the specific activities UNOMIG would undertake, prospects for the mission and anticipated costs, in the light of the situation on the ground and in the negotiations.

A. Political efforts

5. Following the signature of the Memorandum of Understanding of 1 December 1993 (S/26875), my Special Envoy for Georgia, Ambassador Edouard Brunner, chaired a second round of negotiations in Geneva from 11 to 13 January 1994. The participants were the two parties to the conflict, the Russian Federation in its capacity as facilitator and a representative of the Conference on Security and Cooperation in Europe (CSCE). Representatives of the United Nations High Commissioner for Refugees (UNHCR) also took part.

6. On 13 January, the representatives of the Abkhaz and Georgian sides signed a communiqué, subsequently transmitted to the Council by the Government of Georgia (S/1994/32). On the following day, 14 January, representatives of the two sides continued discussions on a draft quadripartite agreement concerning repatriation prepared by UNHCR. This agreement provides the basis for detailed arrangements for the voluntary return of refugees and displaced persons to their places of permanent residence in Abkhazia. It is expected that this agreement will be signed before the end of January by both parties and by representatives of the Russian Federation and UNHCR.

7. In the communiqué, it was noted that the provisions of the Memorandum of Understanding were, for the most part, being implemented. An exchange of prisoners had taken place on the principle of "all for all"; representatives of UNHCR had carried out a first preparatory visit; and on 15 and 16 December 1993 a meeting took place in Moscow of a group of experts to prepare recommendations on the political status of Abkhazia. At the same time, however, uncontrolled groups had continued to carry out acts of looting and violence and work to find the missing and the dead resulting from the fighting of September and October 1993 had not yet begun.

8. The two sides reaffirmed their commitment not to use force or the threat of force against each other. They also agreed that the establishment of favourable conditions for further progress towards a political settlement and the practical implementation of agreements would be promoted by the deployment of a full-scale peace-keeping operation in Abkhazia. They made further statements on military aspects, which I discuss below in the section of the present report concerning UNOMIG.

9. The two sides recognized in the communiqué that the primary objective was a comprehensive political settlement of the conflict and that all efforts were contributions to its achievement. The first meeting of experts to discuss the issues of political status of Abkhazia, held in Moscow on 15 and 16 December 1993, would be followed by a second meeting, which would also be held in Moscow, beginning on 8 February 1994.

10. In order to underscore the importance of the issue of defining a political status for Abkhazia acceptable to both sides, the communiqué contained a call from the United Nations, CSCE and the Russian Federation for the parties to proceed from the need to observe the territorial integrity of Georgia and fully to ensure the interests of the entire multinational population of Abkhazia, those being the fundamental principles of a comprehensive settlement. That point was also brought personally to the attention of the leaders of the Georgian and Abkhaz delegations on my behalf by the Under-Secretary-General for Political Affairs, Mr. Marrack Goulding, who attended part of the second round of negotiations.

11. It was agreed in the communiqué that the third round of negotiations would be held on 22 February 1994 in Moscow or Geneva.

12. On 21 January, in Paris, I discussed the situation in Abkhazia extensively with H.E. Mr. Eduard Shevardnadze, Head of State of the Republic of Georgia. During these discussions, he strongly urged me to recommend an increase in the United Nations military presence in Abkhazia as soon as possible.

B. Refugees and displaced persons

13. UNHCR believes that there are some 300,000 persons who fled Abkhazia as a result of the fighting and who are now either displaced elsewhere in Georgia or refugees in other countries. Already there is a trickle of spontaneous returnees but, as yet, adequate security does not exist to encourage a general return of the population. In the meantime, the presence of some 250,000 displaced persons within Georgia is creating major social, economic and political problems. Pressure is growing among the displaced and dispossessed to return to their homes.

14. In the view of UNHCR, which I share, the return of refugees and displaced persons is contingent upon the re-establishment of security for civilians in Abkhazia. Although the restoration of civil law and order is primarily a task for the local police authorities, in the present circumstances the refugees and displaced persons cannot be expected to have confidence that they will not be subject to revenge attacks and further incidents of violence. The significant presence of a third party would help to reduce fear and provide some assurance of safety. The parties to the conflict recorded in the communiqué of 13 January their request to the United Nations and the Russian Federation for assistance in creating a safe environment conducive to the return of refugees and displaced persons.

15. To this end, the parties to the conflict have agreed to establish a special commission on refugees consisting of the parties, the United Nations (i.e. UNHCR) and the Russian Federation to begin work on 25 January 1994. Furthermore, it was agreed to begin on 10 February the implementation of a phased process of returns to Abkhazia, and as a first stage to the Gali region, which is close to the Inguri river. If this work is to proceed successfully, and if UNHCR is to be able to promote the return of people to their homes, it will be essential to take early steps to stabilize the local situation. The

parties, supported by the Russian Federation, take the view that that would best be achieved by the introduction of a third-party military force into the area.

16. Although specific dates were identified in the communiqué, UNHCR made it clear in the discussion that progress in the return of refugees would be contingent upon the prior establishment of adequate security conditions.

C. Economic issues

17. In the communiqué, the Georgian and Abkhaz sides expressed their interest in the establishment, no later than 15 February, of an international commission to assist in economic recovery in Abkhazia with the participation of international and national organizations. Among its highest priorities, according to the communiqué, must be the restoration of vital facilities, transport, communications, airports, bridges and tunnels.

D. UNOMIG and military issues

18. Both sides have appealed to the Security Council that, at its forthcoming review of UNOMIG, it should authorize an appropriate expansion of UNOMIG's mandate, inter alia, to entrust it with "control of the non-resumption of hostilities" in the zone of conflict. The relevant part of the communiqué continues:

> "... The Parties continued to favour the deployment in the conflict zone of United Nations peace-keeping forces or other forces authorized by the United Nations. They expressed their mutual consent to the use of a Russian military contingent as part of such forces.
>
> "Within five days after deployment in the zone of conflict, in accordance with a decision of the Security Council, of an additional number of international observers and following the arrival of peace-keeping forces, the parties shall carry out the withdrawal of all armed units, with their weapons and military equipment, from the Inguri river and other possible lines of active confrontation in the conflict zone to a distance to be determined by the officers commanding the peace-keeping forces and UNOMIG, with the agreement of the parties. Simultaneously, international observers and peace-keeping forces will enter the areas thus formed.
>
> "There shall be complete disarmament and withdrawal of all kinds of volunteer units and individuals participating in the conflict. Inspections by international observers are permitted at crossing points on the Psou river."

19. The duties and activities of UNOMIG to date have been limited to the mandate described in paragraph 1 above. Based in Sukhumi, UNOMIG, whose strength at 24 January stood at 20 military observers, has conducted mobile patrols in most parts of Abkhazia. They have liaised with local military contingents and their presence has generally been welcomed by the remaining inhabitants. Daily reports on the situation have been submitted to United

Nations Headquarters in New York on both their military activities and their contacts with Abkhaz political authorities. The Chief Military Observer, Brigadier-General John Hvidegaard (Denmark), was present at the exchange of prisoners-of-war on 19 December 1993.

20. Being unarmed, however, UNOMIG has not been able to operate freely in the Inguri river area and the Gali region for lack of security caused by roving uncontrolled gangs and owing to the proximity of lines of potential confrontation. It is worth recalling that, while there has been a tacit cease-fire between the two sides since the fighting in September/October 1993, there has been no formal cease-fire agreement other than the Memorandum of Understanding of 1 December in which they declared their commitment not to use force or the threat of force against each other.

E. Observations

21. The roots of this dispute go back many years. A comprehensive settlement to the conflict will not be easy. Furthermore, the fighting, the violations of human rights and the extensive looting and damage to property that have taken place since 1992 have aroused deep enmity between the two sides. It should not therefore be surprising that negotiations for an acceptable political status for Abkhazia will take time. Bearing in mind that fierce fighting broke out in August 1992 and has erupted twice since then, the present cease-fire, which is not based on a written agreement, is fragile. I believe that, in the interests of avoiding yet further conflict, of creating conditions for humanitarian relief and repatriation and of constructing a lasting peace, it is desirable that the United Nations presence on the ground should be prolonged. In making this judgement I have also taken into account the fact that the tensions and conflict situations that exist in the newly independent States of the former Soviet Union carry much significance for regional stability and international peace and security. They are as worthy of United Nations attention as those in other regions.

22. If in these circumstances the Security Council decides that a larger international military presence in Abkhazia is desirable both to consolidate the cease-fire and to create conditions for the return of refugees and displaced persons, that presence could take a number of possible forms. Two in particular have been discussed with my Special Envoy and with the group of Member States that have constituted themselves as the "Friends of Georgia". These two options are as follows:

(a) Option 1. The Council could establish a traditional United Nations peace-keeping force, under United Nations command and control, to operate initially in the areas of the Gali region and the Inguri and Psou rivers in order to carry out an effective separation of forces, to monitor the disarmament and withdrawal of armed units and, by its impartial presence in the Gali region, to help to create conditions that would be conducive to the return of refugees and displaced persons. The Russian Federation has informally circulated a proposal for the establishment of such an operation. Its preliminary calculation is that, in order to be effective, such a force might be in the order of 2,500 troops. In accordance with normal United Nations practice, this

would be a multinational force and no one country would contribute more than about one third of its strength;

(b) Option 2. The Council could authorize a multinational military force, not under United Nations command and consisting of contingents made available by interested Member States, including the Russian Federation, to carry out the functions described in option 1 above. UNOMIG would be kept in being and entrusted with the tasks of monitoring the operations of the multinational force, liaising with the local authorities in Abkhazia and observing developments on the ground. To enable UNOMIG to perform these functions, it would be necessary that the countries contributing to the multinational force provide the United Nations with information about that force's concept of operations, command and control structures, deployment, rules of engagement and so on. The characteristics of the multinational force would no doubt reflect the principles for such forces within the CSCE region set out in the decisions of the Rome Council of CSCE on 1 December 1993 (S/26843), namely respect for sovereignty and territorial integrity; consent of the parties; impartiality; multinational character; clear mandate; transparency; an integral link to a political process for resolution of the conflict; and a plan for orderly withdrawal. The size of UNOMIG under this option would depend primarily on the deployment and activities of the multinational force. A preliminary estimate is that up to 200 military observers would be required, with the necessary civilian support.

23. The Security Council indicated clearly in resolution 881 (1993) that its attitude to United Nations peace-keeping efforts in Abkhazia would depend to an important extent on there being substantive progress towards a political settlement. Such progress has so far been limited, although the fact that direct discussions have started between the parties is an important step forward. The present position is that the Georgian side has stated its readiness to consider extensive autonomy for Abkhazia within the territorial integrity of Georgia. My Special Envoy and his colleagues have drawn the two sides' attention to the wide range of options that exist for such an arrangement. The Abkhaz side, however, has so far been unwilling to accept this possibility and its leadership has pressed for complete independence. In the course of the negotiations, my Special Envoy, with the support of the representatives of the Russian Federation and CSCE, has unequivocally stated that international recognition would not be given to any entity that attempted to change international boundaries by force. On the other hand, a freely negotiated settlement based on autonomy for Abkhazia and approved in an internationally observed referendum, once the previous multi-ethnic population had returned to its homes, would command full international support.

24. In these circumstances, I recommend that the Council decide to maintain UNOMIG with its present mandate and strength of up to 55 observers, for a limited period to 15 March 1994, to permit time for further consultations to proceed and, in particular, for the parties to demonstrate their willingness to make substantive progress on the political issues. Extension until 15 March 1994 will enable the Security Council to take the necessary decisions about the future of United Nations peace-keeping in Abkhazia in the light of the results of the third round of negotiations, which is to begin on 22 February 1994. I shall submit, as soon as possible, an addendum to the

present report stating the financial implications of the extension of UNOMIG's mandate.

25. In the light of my discussions with Mr. Shevardnadze in Paris, I have instructed my staff to explore with the Chief Military Observer of UNOMIG whether effective use could be made of a further increase in the size of UNOMIG beyond 55 observers. In the event that a useful task can be identified, I might wish to recommend to the Council such an increase.

26. In postponing a substantive recommendation, I am conscious both of the fragility of the current cease-fire and of the consequent delay in starting the organized return of refugees and displaced persons. I therefore appeal to the two sides both to exercise maximum restraint and, at the technical meeting in Moscow on 8 February and at the third round of negotiations later that month, to begin substantive discussion of the future political status of Abkhazia. I know that I can also count on the Russian Federation, which has troops deployed in Abkhazia, to do everything possible to ensure that peaceful conditions are maintained during this transitional phase. In this context, I wish to place on record my appreciation for the cooperation and support already extended by the Russian Government to my Special Envoy in his efforts to help the parties to reach a lasting settlement of their conflict.

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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

Addendum

1. In my report to the Security Council of 25 January 1994 (S/1994/80), I indicated in paragraph 24 that I would submit an addendum to the report stating the financial implications of the maintenance of the United Nations Observer Mission in Georgia (UNOMIG) as described in that paragraph.

2. Should the Security Council approve my recommendation for the continuation of UNOMIG at its present authorized strength of up to 55 military observers for a period of six weeks initially, it is estimated that the total cost would amount to approximately $2,454,000 gross for that period. The monthly cost thereafter would amount to approximately $548,000 gross. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

3. It would be my recommendation to the General Assembly, should the Security Council decide to approve my recommendation, that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to the UNOMIG special account established for this purpose.

Annex

Cost estimates for the extension of the United Nations Observer Mission in Georgia for the period 1 February-15 March 1994

(In thousands of United States dollars)

		Amount
1.	Military personnel costs	262
2.	Civilian personnel costs	269 a/
3.	Premises/accommodation	110
4.	Infrastructure repairs	-
5.	Transport operations	514
6.	Air operations	-
7.	Naval operations	-
8.	Communications	537
9.	Other equipment	480
10.	Supplies and services	60
11.	Election-related supplies and services	-
12.	Public information programmes	-
13.	Training programmes	-
14.	Mine-clearing programmes	-
15.	Assistance for disarmament and demobilization	-
16.	Air and surface freight	155
17.	Integrated Management Information System	-
18.	Support account for peace-keeping operations	23
19.	Staff assessment	44
	Total	2 454

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a/ Comprises 20 international staff and 26 locally recruited staff.

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25 January 1994

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LETTER DATED 25 JANUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF ARMENIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I would like to bring to the attention of the members of the Security Council the extremely dangerous escalation of events in Nagorny Karabakh, which has been the direct consequence of the four-week-long Azerbaijani aggression.

As I have already informed you, on 24 December 1993 the Azerbaijani armed forces, with heavy military vehicles, long-range artillery, missile launchers and aircraft, launched one of the largest-scale attacks to date on the Karabakh self-defence units along the entire front line stretching from the Shahumian region in the far north of Nagorny Karabakh to the town of Zhdanovsk in the south. The fierce battles have reportedly caused hundreds of deaths and thousands of people wounded on both sides.

The situation is deteriorating not only as a result of the unprecedented scope of the offensive, but also because Azerbaijan has hired a large number of mercenaries from neighbouring countries as well as mujahidin fighters loyal to the hard-line Hezb-el-Islami party of Afghanistan. The latter fact was covered in the 26 December 1993 Boston Globe article by Reuters.

On the assumption that the Russian-mediated cease-fire agreement was still in effect on the day Azerbaijan launched the offensive, the Armenian leadership has used its good offices in Nagorny Karabakh, discouraging Stepanakert from countermeasures and trying to keep the conflict from further escalation, which would inevitably ruin all peaceful initiatives on the part of the United Nations, the Conference on Security and Cooperation in Europe, the Russian Federation, the United States and the international community.

None the less, the recent developments have left no doubt that the Azerbaijani Government, repudiating the possibility of peace talks, has once and for all decided to resolve the Karabakh problem by force. Evidence of this is its repeated attempts to gain territory within Nagorny Karabakh in order, first, to solve its domestic problems, and, second, to have some advantages at the negotiating table.

Since late December, Azerbaijan has been shelling and rocketing the Armenian towns and villages along almost the entire Armenian-Azeri border, sometimes making attempts to invade Armenian territory. This has been done with the sole purpose of engaging Armenia in an all-out war, thus justifying its own propaganda about Armenian aggression.

Not coincidentally, the terrorist activities in the Azeri-populated regions of Georgia against the gas pipeline and the railway, which in fact was the only route connecting the blockaded Armenia with the outside world, reached their peak in this most recent period. We have evidence of the direct involvement of the Azerbaijani authorities in the recent explosions.

This flagrant violation of all previous agreements and open disregard of United Nations Security Council resolutions 874 (1993) and 884 (1993) are taking place at a time when the Armenian Government is urgently seeking ways for a peaceful settlement of this conflict.

Taking into consideration the above-mentioned, I believe the United Nations Security Council should use its status and authority to help to stop the bloodshed in the region of conflict and promote the process of peaceful negotiations.

I should be grateful if you would circulate this letter as a document of the Security Council.

(Signed) Alexander ARZOUMANIAN
Permanent Representative